

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION

In re

RICHARDS CONDITIONING CORP.,
Debtor.

CHAPTER 11

Case No.: 09-22525(RDD)

RICHARDS CONDITIONING CORP., INC.,
Plaintiff,

Adv. Pro. No.: 10-08408(RDD)

v.

LAWRENCE P. HOPWOOD,
Defendant.

ORDER FOR RELIEF

WHEREAS, a certificate of default was entered against **LAWRENCE HOPWOOD**, the defendant, (herein the “Defendant”) on October 25, 2010, by the Clerk of this Court; and

WHEREAS, counsel for plaintiff, **RICHARDS CONDITIONG CORP.**, has made application for the entry of a judgment of default against defendant in favor of plaintiff and defendant having submitted opposition to said application and to vacate the default heretofore entered by the Clerk and the Court having reviewed the submissions of the parties and hearing oral argument of counsel on March 31, 2011, and it appearing that defendant’s default was not willful, that the plaintiff will not suffer undue prejudice, and that defendant has established a meritorious defense raising material issues of fact for which the matter should be heard on its merits;

NOW THEREFORE, the application of **RICHARDS CONDITIONING CORP.**, the plaintiff (herein the “Plaintiff”), dated October 30, 2010, by and through its counsel, seeking

entry of a **Judgment of Default** against the Defendant and in favor of the Plaintiff, is hereby **DENIED**, and that the **Default** heretofore entered against Defendant be and the same is hereby **VACATED** and defendant is allowed 30 days to file responsive pleadings;

IT IS FURTHER ORDERED that defendant **LAWRENCE P. HOPWOOD** shall notify counsel for plaintiff/debtor two weeks in advance of any transfer of his assets out of the ordinary course and the imposition of any lien or attachment on his property by a creditor; and

IT IS FURTHER ORDERED that Plaintiff's application to stay the sale of real property commonly known as 47 Sturgis Road, Bronxville, New York 10708 is hereby **DENIED**.

Dated: White Plains, New York
May __, 2011

ROBERT D. DRAIN, U.S.B.J.